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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION**

<b>UNITED STATES OF AMERICA,</b> <b>Plaintiff,</b>	<b>CV 21-110-M-DLC-KLD</b>
<b>vs.</b>	<b>PLAINTIFF'S MOTION TO</b>
<b>SCOTT RHODES,</b> <b>Defendant.</b>	<b>STRIKE DEFENDANT'S LATE- FILED SUMMARY JUDGMENT MOTION</b>

The United States respectfully moves, pursuant to this Court's scheduling order and the Court's inherent authority, to strike defendant Scott Rhodes' summary judgment motion and its associated filings. A brief in support of this motion is filed concurrently herewith.

Counsel for the United States has notified Rhodes of this motion, and he has indicated he opposes the motion.

**DATED** this 19th day of January 2024

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 19<sup>th</sup> day of January 2024, a copy of the foregoing document was served on the following person by the following means.

1,2 CM/ECF  
\_\_\_\_\_ Hand Delivery  
\_\_\_\_\_ U.S. Mail  
\_\_\_\_\_ Overnight Delivery Service  
\_\_\_\_\_ Fax  
\_\_\_\_\_ E-Mail

1. Clerk of Court

2. Scott Rhodes  
1104 Louisiana Avenue,  
Libby, MT 59923

**/s/ Patrick R. Runkle**  
**Patrick R. Runkle**  
**Senior Litigation Counsel**  
**Attorney for Plaintiff**